

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL RESTORATION No. 46 of 2006

SMT. BHAGWATI DEVI & ORS
V/S
SURESH DAN & ORS

Mr. RAJESH JOSHI, for the appellant / petitioner

Date of Order : 15.9.2006

HON'BLE SHRI N P GUPTA, J.

ORDER

Heard learned counsel for the petitioner and
perused the application.

The appeal was dismissed in default as nobody
appeared even in the second round till 11 A.M. during
morning hours of the Court working.

The only reason given is that non appearance of
the counsel occasioned bonafidely as initially the
appellant was represented by Mr. Kamal Dave, and
subsequently the case was assigned to the present counsel
Shri Joshi. It is then contended that the appearance could
not be put in as the name of the present counsel did not
appear in the cause list.

I find from the file of the main appeal that no

Vakalatnama has been filed on behalf of Mr. Joshi.

Obviously, therefore, there was no occasion for his name appearing in the cause list.

Thus, the cause pleaded, in my view, does not make out any sufficient cause for restoration. The restoration application is, therefore, dismissed.

(N P GUPTA), J.

/Sushil/